



Sector #/4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Samuel Daniel Dull III et al : Date: June 22, 2001  
Group Art Unit: 2182 : IBM Corporation  
Examiner: Unknown : Intellectual Property Law  
Serial No.: 09/821,920 : Dept. 917, Bad. 006-1  
Filed: March 30, 2001 : 3605 Highway 52 North  
Title: METHOD AND APPARATUS FOR : Rochester, MN 55901  
INSTALLING AND UPGRADING  
AN APPLICATION IN A COMPUTER  
SYSTEM

Confirmation No.: 7671

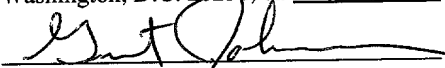
Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

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Assistant Commissioner for Patents,  
Washington, D.C. 20231, on June 22, 2001.

  
Grant A. Johnson

**PRELIMINARY AMENDMENT**

In regard to the Notice to File Missing Parts of Nonprovisional Application, mailed  
05/09/2001, in the above-noted application, applicants preliminarily amend it as follows:

Docket No.: ROC920010099US1  
Serial No.: 09/821,920

IN THE DRAWINGS:

Kindly substitute corrected formal drawings Figs. 1-3 (4 sheets) for the originally filed informal drawings. The formal drawings are attached in a separate Letter and contain Figs. 1-3 (4 sheets).

IN THE SPECIFICATION:

Replace the paragraph on Page 5, line 18 with the following:

Figs. 2A and 2B are a diagram showing one upgrade object embodiment.

Replace the paragraph on Page 6, lines 11-18 as follows:

Figures 2A and 2B show one embodiment of an upgrade object 200. This upgrade object 200 comprises a release field 210, a control information field 220, a description field 230, and step code field 240. The control information field 220 comprises a title field 233, a step number field 224, a prerequisites field 226, a concurrent step field 228, and a release field 229. The description field 230 includes a human readable explanation 235 of what the actions that upgrade object 200 will perform. The step code field 240 comprises a plurality of instructions 242 ("script") in text format, which are capable of being converted into a machine-useable form ("compiled") and executed by the script processing program 190 (Fig. 1).

Replace the paragraph on page 6, line 19 through page 7, line 5 as follows:

In operation, the present invention provides a method of installing, upgrading, and maintaining software in which the end user has a very small role in the total picture. In the embodiment shown in Figs 1, 2A, and 2B, a system administrator will first install (or

instruct the end users to install) the program to be upgraded 180, the communications program 185, the script processing program 190 onto each individual computer 100. These programs may be installed using conventional methods, such as using a special purpose installation program stored on a suitable storage medium.

Replace the paragraph on page 12, line 21 through page 13, line 4 with the following:

Although the present invention has been described in detail with reference to certain examples thereof, it may be also embodied in other specific forms without departing from the essential spirit or attributes thereof. For example, the present invention may be used to install new programs onto the computer 100 and/or to delete unnecessary programs from the computer 100. It may also be used to initiate periodic maintenance tasks, such as defragmenting the hard disk drive, scanning the computer 100 for computer viruses, backing up data, and the like. The present invention, and components thereof, are also capable of being distributed as a program product in a variety of forms, and applies equally regardless of the particular type of signal bearing media used to actually carry out the distribution. Examples of suitable signal bearing media include, without limitation: recordable type media, such as floppy disks and CD-RW disks, CD-ROM, DVD, and transmission type media, such as digital and analog communications links. In addition, some embodiments may replace or supplement the text script 242 in Figure 2B with binary code. These embodiments may be desirable because they will require fewer resources from the end user's computer.

REMARKS

Entry of the above amendments and acceptance of the corrected formal drawings are respectfully requested.

These amendments to the specification are not substantive in nature, but rather are directed merely to formal matters that can be easily ascertained by a cursory inspection of them in context of the drawings. The amendments conform the specification to the corrected formal drawings which are being submitted herewith in a separate letter. In particular, the specification has been amended to correctly conform it to the Figure numbers as they now appear in the corrected formal drawings. In complying to the request for corrected drawings as stated in the Notice to File Missing Parts of Nonprovisional Application and the existing Rules of Practice, the required drawing changes necessitated an increase in the number of formal sheets. The changes to the specification merely reflect this fact and the corresponding changes in Figure numbering to accomplish the noted changes.

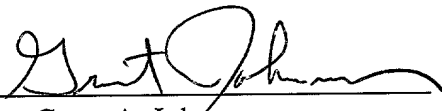
An addendum is attached hereto with the foregoing amendments to the specification in an underlined and bracketed version.

Accordingly, it is respectfully requested that the above amendments be entered and that the formal drawings be accepted. The present application is otherwise in condition of allowance.

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The Examiner is invited to contact the undersigned to discuss any unresolved outstanding issues.

Respectfully submitted,

By:   
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Registration No.: 42,696

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Fax No.: (507) 253-2382

09821920-062601

Version With Markings to Show Changes Made

Replace the paragraph on Page 5, line 18 with the following:

[Figure 2] Figures 2A and 2B are a diagram showing one upgrade object embodiment.

Replace the paragraph on Page 6, lines 11-18 as follows:

[Figure 2 shows] Figures 2A and 2B show one embodiment of an upgrade object 200. This upgrade object 200 comprises a release field 210, a control information field 220, a description field 230, and step code field 240. The control information field 220 comprises a title field 233, a step number field 224, a prerequisites field 226, a concurrent step field 228, and a release field 229. The description field 230 includes a human readable explanation 235 of what the actions that upgrade object 200 will perform. The step code field 240 comprises a plurality of instructions 242 ("script") in text format, which are capable of being converted into a machine-useable form ("compiled") and executed by the script processing program 190 (Fig. 1).

Replace the paragraph on page 6, line 19 through page 7, line 5 as follows:

In operation, the present invention provides a method of installing, upgrading, and maintaining software in which the end user has a very small role in the total picture. In the embodiment shown in Figs [1-2] 1, 2A, and 2B, a system administrator will first install (or instruct the end users to install) the program to be upgraded 180, the communications program 185, the script processing program 190 onto each individual computer 100. These programs may be installed using conventional methods, such as using a special purpose installation program stored on a suitable storage medium.

Replace the paragraph on page 12, line 21 through page 13, line 4 with the following:

Although the present invention has been described in detail with reference to certain examples thereof, it may be also embodied in other specific forms without departing from the essential spirit or attributes thereof. For example, the present invention may be used to install new programs onto the computer 100 and/or to delete unnecessary programs from the computer 100. It may also be used to initiate periodic maintenance tasks, such as defragmenting the hard disk drive, scanning the computer 100 for computer viruses, backing up data, and the like. The present invention, and components thereof, are also capable of being distributed as a program product in a variety of forms, and applies equally regardless of the particular type of signal bearing media used to actually carry out the distribution. Examples of suitable signal bearing media include, without limitation: recordable type media, such as floppy disks and CD-RW disks, CD-ROM, DVD, and transmission type media, such as digital and analog communications links. In addition, some embodiments may replace or supplement the text script 242 in Figure 2B with binary code. These embodiments may be desirable because they will require fewer resources from the end user's computer.